

United States District Court	DISTRICT of ARIZONA
United States of America v. Joshua M Shearer, DOB: 1983; Mexico	DOCKET NO. <b>19-09053 MJ</b>
Complaint for violation of Title 8 United States Code § 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i), and 1324(a)(1)(B)(iii)	

**COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:**

On or about June 25, 2019, at or near Naco, in the District of Arizona, **Joshua M Shearer**, knowing and in reckless disregard of the fact that certain illegal aliens, Abel Huaman-Mauri, Gerardo Galvez-Ramirez, and Luis Flores Baltazar-Pacheco, had come to, entered and remained in the United States in violation of law, did transport and move said aliens within the United States by means of transportation and otherwise, in furtherance of such violation of law and did so for the purpose of private financial gain, and placing in jeopardy the life of any person; in violation of **Title 8, United States Code, Sections 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i) and 1324(a)(1)(B)(iii)**.

**BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:**

On or about June 25, 2019, at or near Naco, in the District of Arizona, United States Border Patrol Agents (BPA) observed a group of possible illegal aliens, heading to the Silverado Ranch property, about 30 yards from State Route 80 (SR 80). BPA acquired a visual of a white pickup truck that turned into the Silverado Ranch driveway and a few seconds later, the driver of the pickup exited the vehicle, opened the cover to the bed of the pickup, and the group of four possible illegal aliens got in the bed of the truck, and the driver shut the cover. The pickup was heading back towards SR 80. BPA followed the pickup and conducted a records check on the license plate, which verified the owner was **Joshua M Shearer** and was registered out of El Mirage, Arizona. BPA conducted a vehicle stop and identified the driver as **Shearer**. BPA questioned **Shearer** regarding him having any weapons and Shearer stated he had a pistol on his hip. BPA observed four individuals laying side by side in the bed of the truck, once the cover was opened. BPA determined that the four subjects that were in the bed of the truck were in the United States illegally. BPA identified Abel Huaman-Mauri, Gerardo Galvez-Ramirez, and Luis Flores Baltazar-Pacheco as material witnesses.

Material witnesses Huaman-Mauri, Galvez-Ramirez, and Baltazar-Pacheco stated that they had made arrangements to be smuggled into the United States for money. The witnesses stated they crossed the International Boundary Fence in a group of four, and once they made it to the pickup spot, a truck pulled over and the driver told them to get in the truck bed. Baltazar-Pacheco was able to identify **Shearer**, from a photo lineup, as the driver of the vehicle.

In a post-*Miranda* statement, **Shearer** claimed that he was in the area because of an issue with a restaurant in Sierra Vista, Arizona. **Shearer** stated a friend of a friend, named Nelson, asked him to pick up some people that were tired and without water. **Shearer** stated that Nelson continued to ask him to pick up the people as he owed Nelson a favor. **Shearer** claimed that when he got to the area where he was instructed to go, four guys jumped into his truck. **Shearer** claimed that he was not being paid to transport the people.

**MATERIAL WITNESSES IN RELATION TO THE CHARGE:** Abel Huaman-Mauri, Gerardo Galvez-Ramirez, and Luis Flores Baltazar-Pacheco

Detention Requested	SIGNATURE OF COMPLAINANT
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	
AUTHORIZED BY: AUSA RW/kat.	OFFICIAL TITLE Border Patrol Agent
Sworn to before me and subscribed in my presence.	
SIGNATURE OF MAGISTRATE/JUDGE	DATE June 26, 2019

1) See Federal rules of Criminal Procedure Rules 3 and 54